

03/04



Attorney Docket No.: 042390.P6488C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shah-Nazaroff et al.)
Examiner: Not Yet Assigned
Application No.: 09/904,825)
Art Group: Not Yet Assigned
Filed: Concurrently Herewith)
For: Method and Apparatus for Collecting)
and Providing Viewer Feedback)
to a Broadcast)

RESPONSE TO NOTICE OF OMITTED ITEMS

RECEIVED

DEC 14 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the Notice of Omitted Items in a Nonprovisional Application mailed August 9, 2001, please find enclosed:

- (1) figures 8 and 9;
- (2) a petition;
- (3) a check in the amount of \$130.00 in payment of the petition fee; and
- (4) a copy of the Notice of Omitted Items in a Nonprovisional Application.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/16/01

Gordon R. Lindeon III
Reg. No. 33,192

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(303) 740-1980

I hereby certify that this correspondence is being deposited with the United States Postal Service as "certified mail" with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

On August 16, 2001 Date of Deposit

April M. Worley
Name of Person Mailing Correspondence

April M. Worley 8/16/01
Signature Date

Attorney Docket No. 042390.P6488C
Application No. 09/904,825



PTO/SB/17(11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Trademark Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) \$130.00

Complete if Known:

Application No. 09/904,825Filing Date Concurrently HerewithFirst Named Inventor Shah-Nazaroff et al.Group Art Unit Not yet assignedExaminer Name Not yet assignedAttorney Docket No. 042390.P6488C

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METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. X Payment Enclosed: X

Check

Credit Card

Money Order

Other

August 16, 2001April WarreyApril Warrey 8/16/01

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
101	710	201	355
106	320	206	160
107	490	207	245
108	710	208	355
114	150	214	75
		Utility application filing fee	
		Design application filing fee	
		Plant filing fee	
		Reissue filing fee	
		Provisional application filing fee	

SUBTOTAL (1) \$0.002. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	- 20** = <u>0</u>	X 18.00	= <u>0.00</u>
Independent Claims	- 3** = <u>0</u>	X 80.00	= <u>0.00</u>
Multiple Dependent			= <u>0.00</u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	_____
197	50	227	25	Surcharge - late provisional filing fee or cover sheet	_____
139	130	139	130	Non-English specification	_____
147	2,520	147	2,520	For filing a request for ex parte reexamination	_____
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____
115	110	215	55	Extension for reply within first month	_____
116	390	216	195	Extension for reply within second month	_____
117	890	217	445	Extension for reply within third month	_____
118	1,390	218	695	Extension for reply within fourth month	_____
128	1,890	228	945	Extension for reply within fifth month	_____
119	310	219	155	Notice of Appeal	_____
120	310	220	155	Filing a brief in support of an appeal	_____
121	270	221	135	Request for oral hearing	_____
138	1,510	138	1,510	Petition to institute a public use proceeding	_____
140	110	240	55	Petition to revive – unavoidable	_____
141	1,240	241	620	Petition to revive - unintentional	_____
142	1,240	242	620	Utility issue fee (or reissue)	_____
143	440	243	220	Design issue fee	_____
144	600	244	300	Plant issue fee	_____
122	130	122	130	Petitions to the Commissioner	130.00
123	130	123	130	Petitions related to provisional applications	_____
126	180	126	180	Submission of Information Disclosure Stmt	_____
581	40	581	40	Recording each patent assignment per property (times number of properties)	_____
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
179	710	279	355	Request for Continued Examination (RCE)	_____
169	900	169	900	Request for expedited examination of a design application	_____
Other fee (specify) _____					
Other fee (specify) _____					

SUBTOTAL (3) \$130.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Gordon R. Lindeen III

Signature:  Date: 8/16/11

Reg. Number: 33,192 Telephone Number: 303-740-1980

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

O I P E S C	APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
AUG 20 2001	09/904,825	07/12/2001	Anthony A. Shah-Nazaroff	42390.P6488C

CONFIRMATION NO. 7188

FORMALITIES LETTER



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0000000006401719*

DEC 14 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Date Mailed: 08/09/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **8 & 9** described in the specification.
- I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.
- II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.
- III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

~~Customer Service Center~~

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE